

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2017 MAR 27 PM 2:45

FRANKLIN L. WILLIAMS,

Plaintiff,

v.

JAMES L. HARDIN,

Defendant.


CASE NO. CV507-031

O R D E R

Before the Court is Plaintiff Franklin L. Williams's "Motion for Relief From a Judgement or Order." (Doc. 52.) It is not clear whether Plaintiff is seeking relief from his prior criminal conviction in CR506-014, or this Court's prior judgment in this case. Plaintiff appears to rely on Federal Rule of Civil Procedure 60(d)(2) for the notion that he is entitled to relief because he was not provided notice, pursuant to 28 U.S.C. § 1655, that he was subject to such a high sentence in his criminal case.

Under either scenario, Plaintiff's motion must be **DENIED**. With regards to the former, a challenge to a prisoner's conviction must be brought as a habeas corpus petition. See Abella v. Rubino, 63 F.3d 1063, 1066 (11th Cir. 1995) (quoting Heck v. Humphrey, 512 U.S. 477, 481 (1994)). With respect to the latter, the Court can discern no grounds for relief.

SO ORDERED this 27th day of March 2017.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA